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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,126	09/29/2000	Hideki Shimomura	450100-02737	9012
20999	7590	04/07/2004	EXAMINER	
FROMMERM LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151				CHAWAN, VIJAY B
ART UNIT		PAPER NUMBER		

2654  
11  
DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/676,126	SHIMOMURA ET AL.
Examiner	Art Unit	
Vijay B. Chawan	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 16 January 2004.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 2-4, 7 and 12-15 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 2-4, 7 and 12-15 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_.

4)  Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5)  Notice of Informal Patent Application (PTO-152)  
 6)  Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 2,3,4,7, and 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Cherny (6,219,646).

As per claim 2, Cherny teaches a translating apparatus for translating a text input in a first language and outputting a text translated in a second language and for translating a text input in said second language and outputting a text translated in said first language in said first language, said translating apparatus comprising: translator means for translating said first language into said second language and for translating said second language into said first language (Col.2, lines 46-67);

history storage means for storing a history of dialogs in said first language and said second language (Col.3, lines 52-65); knowledge storage means for storing predetermined knowledge (Col.3, lines 52-65); and,

processing means for performing predetermined processing based on the dialog history and the predetermined knowledge (Col.5, lines 41-57), wherein said processing means generates a response to the input text without outputting a translation of the input text (Col.4, lines 27-38).

As per claims 3 and 4, Cherny teaches a translating apparatus for translating a text input in a first language and outputting a text translated in a second language and for translating a text input in said second language and outputting a text translated in said first language in said first language, said translating apparatus comprising:

translator means for translating said first language into said second language and for translating said second language into said first language (Col.2, lines 46-67);

history storage means for storing a history of dialogs in said first language and said second language (Col.3, lines 52-65);

knowledge storage means for storing predetermined knowledge (Col.3, lines 52-65); and,

processing means for performing predetermined processing based on the dialog history and the predetermined knowledge (Col.5, lines 41-57), wherein said processing means checks the result of translation by said translator means, and supplies the result of the checking to said translator means,

and said translator means performs translation based on the information from said processing means (Col.2, line 46 – Col.3, line 13).

As per claim 7, Cherny teaches a translating apparatus for translating a text input in a first language and outputting a text translated in a second language and for translating a text input in said second language and outputting a text translated in said first language in said first language, said translating apparatus comprising: translator means for translating said first language into said second language and for translating said second language into said first language (Col.2, lines 46-67);

history storage means for storing a history of dialogs in said first language and said second language (Col.3, lines 52-65);

knowledge storage means for storing predetermined knowledge (Col.3, lines 52-65); and,

processing means for performing predetermined processing based on the dialog history and the predetermined knowledge (Col.5, lines 41-57), wherein said processing means acquires information required for the translation, and supplies the acquired information to said translator means, or requests a user of said translating apparatus to input the required information when the required information cannot be acquired and supplies the required information to said translator means (Col.2, line 46 – Col.3, line 13, Col.4, lines 53-65, Col.7, lines 20-37).

***Response to Arguments***

3. Applicant's arguments with respect to claims 2-4, 7, 12-15 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay B. Chawan whose telephone number is (703) 305-3836. The examiner can normally be reached on Monday Through Thursday 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Vijay B. Chawan*  
Vijay B. Chawan 4/4/04  
Primary Examiner  
Art Unit 2654

Vbc  
4/4/04

**VIJAY CHAWAN**  
**PRIMARY EXAMINER**